



REPUBLIC OF ALBANIA
MINISTRY OF FOREIGN AFFAIRS

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No. 5192.

The Ministry of Foreign Affairs of the Republic of Albania presents its compliments to the Embassy of the United States of America in Tirana and refers to the Embassy's note No. 106, dated October 15, 2002, which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Albania and refers to the provision of United States law that requires the Government of the United States of America, prior to a grant under the Foreign Assistance Act of 1961, as amended, or successor legislation, or sale or lease under Section 3 of the Arms Export Control Act, as amended, or successor legislation, of defense articles, related training and other defense services, to obtain assurances from recipient nations of such defense articles, related training and other defense services. The Government of the United States of America is currently and may in the future be providing assistance to the Government of Bulgaria, as the Headquarters Host Nation of the South Eastern European Brigade (SEEBRIG), as well as to future SEEBRIG Headquarters Host Nations for the establishment of a Communications Information System (CIS), for use by all SEEBRIG member states in furtherance of SEEBRIG operations. Prior to permitting the temporary transfer and use of any such defense articles, related training and other defense services from the Government of Bulgaria or any other SEEBRIG member nation acting as the SEEBRIG Headquarters Host Nation, to the Government of Albania for use in the SEEBRIG operations, the Government of the United States of America is required to obtain from the Government of Albania the assurances below:

A. That unless the consent of the Government of the United States of America has been first obtained, the Government of Albania shall not:

- (I) Use or permit the use of such defense articles, related training or other defense services for purposes other than for SEEBRIG operations;
- (II) Permit any use of such defense articles, related training or other defense services by anyone not an officer, employee or agent of the Government of Albania;
- (III) Transfer or permit any officer, employee or agent of the Government of Albania to transfer such defense articles, related training or other defense services by gift, sale, or otherwise, except to the SEEBRIG Headquarters Host Nation.

B. That when acting as the SEEBRIG Headquarters Host Nation, the Government of Albania acknowledges its responsibility for security, control, inventory, service and maintenance of the defense articles, related training and other defense services provided to SEEBRIG by the United States Government. In furtherance of its custodial role, it will be responsible for and will ensure the proper administration and temporary distribution of subject defense articles, related training and other defense services to SEEBRIG member states for use in SEEBRIG operations.

EMBASSY OF THE UNITED STATES OF AMERICA

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C. When acting as the SEEBRIG Headquarters Host Nation, the Government of Albania provides its assurances that:

(I) it shall not transfer or permit any officer, employee, or agent of the Government of Albania to transfer such defense articles, related training or other defense services to anyone not an officer, employee or agent of the government of a SEEBRIG member state;

(II) it will not permit the use of such defense articles, related training, or other defense services by anyone not an officer, employee or agent of the government of a SEEBRIG member state;

(III) it shall not use or permit the use of such defense articles, related training or other defense services for purposes other than SEEBRIG operations;

(IV) it shall return to the Government of the United States of America said defense articles, related training or other defense services provided with Peace Keeping Operations funds from the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America provides written consent to another disposition; and

(V) finally, it shall not permanently transfer said defense articles, related training and other defense services or the responsibility thereof to the successor SEEBRIG Headquarters Host Nation prior to making formal written application for, and receipt of, the written consent of the Government of the United States of America.

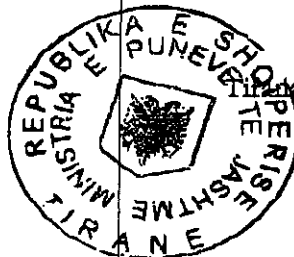
D. The Government of Albania shall at all times maintain the security of such defense articles, related training, and other defense services; that it shall provide substantially the same protection afforded to such articles or related training other defense services by the Government of the United States of America and; that it shall, as the United States may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of Albania.

The Ministry's reply stating that the foregoing is acceptable to the Government of Albania shall, together with this note, constitute an agreement between the two governments, which shall enter into force on the date of the Ministry's reply."

The Ministry of Foreign Affairs of the Government of Albania has the honor to confirm that the proposal set forth in the Embassy's note is acceptable to the Government of Albania and that the Embassy's note and this note in reply shall constitute an agreement between the two Governments which shall enter into force on this date.

The Ministry of Foreign Affairs of the Republic of Albania avails itself of the occasion to renew to the Embassy of the United States of America in Tirana the assurances of its highest consideration.

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Tirana, December 4, 2002